

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20942 of 2017

Arising Out of PS.Case No. -66 Year- 2011 Thana -MADHEPURA District- MADHEPURA

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Ghoghal Yadav, son of Late Narsingh Yadav, Resident of Village-
Sonbarsha, P.S.- Choutham, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Choudhary

For the Opposite Party/s : Mr. Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Madhepura P.S.Case No. 66 of 2011 registered for the offences
punishable under Section 364A of the Indian Penal Code.

Petitioner is not named in the FIR and allegation is
kidnapping for ransom.

It has been submitted on behalf of the petitioner that
there is nothing against the petitioner and even in statement of the
victim recorded under Section 164 Cr.P.C. petitioner has not been
named and except present one the petitioner is involved in another
case and he is in custody for eight months.

Heard learned APP also, who has opposed the prayer
for bail stating that in the case diary statement of the victim has
been recorded under Section 161 Cr.P.C. in which he has stated
that he was kept in the house of the petitioner also.

Having heard both sides and considering the aforesaid



facts and circumstances and also considering the fact that in statement under Section 164 Cr.P.C. the victim has not named this petitioner, as such, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S.Case No. 66 of 2011, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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